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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/523,859

04/25/2005

Il-Weon Cho

CU-4077 WWP

1880

26530

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09/14/2006

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EXAMINER

NGUYEN, DAVID Q

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/523,859

Applicant(s)

CHO ET AL.

Examiner

David Q. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 rejected under 35 U.S.C. 103(a) as being unpatentable over Molnar (US 2002/0103929) in view of Qu et al. (US 2004/0203945) and further in view of Aschir (US 2002/0052212A1).

Regarding claim 1, Molnar discloses a method for processing a short message (page 3, paragraph 49, SMS) in a mobile communication network (page 2, paragraph 32, network) including a mobile switching center for switching calls (page 1, paragraph 9, VMSC), a short message service center for providing a short message service (page 1, paragraph 9, SMS-GMSC has SMSC functionality), and an operation control unit for operating and managing the short message service center (page 1, paragraph 8, Service Center), a method for processing an address of a short message service center (page 3, paragraph 49, address part of SMS message supplied to SMS-GMSC), comprising: a load centralization confirmation step where the operation control unit receives short message processing states from each short message service center, confirms load centralization states

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of each short message service center (page 4, paragraph 57, optimizing routing of messages by SMSC-SMS-GMSC to reduce load; page 3, paragraph 51, device receives message that optimal route was not successful; each route result is interpreted as being a state), and generates an operation message (page 3, paragraph 52, instruction is forwarded based on the detection, instruction is interpreted as being the operation message); a path setup step where the mobile switching center receives a short message from a mobile station, and sets up a transmission path of the short message according to the operation message (page 3, paragraph 50, route selected based on ROUTE_IND parameter); and an optimal transmission step where the mobile switching center transmits the short message from the mobile station to the corresponding short message service center through the transmission path according to the result the path setup step (page 5, paragraph 29, route via MSC, also, figure 1 MS-VMSC-SMS/GMSC). Molnar does not disclose the above SMS method in a WCDMA network and MSC receives a short message with the SC address, when SC address is an MSISDN stored in the mobile station. However, the examiner maintains that the concept of SMS messaging in a CDMA network was well known in the art as taught by Qu et al. In a similar field of endeavor, Qu et al disclose SMS in WCDMA (page 1, paragraph 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Qu et al to Molnar et al in order for applying the messaging method to different networks.

The method of Molnar et al in view of Qu et al. does not mention MSC receives a short message with the SC address, when SC address is an MSISDN stored in the mobile station.

However, Aschir discloses MSC receives a short message with the SC address, when SC address

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is an MSISDN stored in the mobile station (see par. 0030). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Aschir to the method of Molnar et al in view of Qu et al in order to enlarge short text information in communication network.

Regarding claim 2, Molnar discloses the method of claim 1, wherein the load centralization confirmation step comprises a step where the operation control unit receives the short message processing states from each short message service center, confirms a minimum load centralization short message service center according to real-time statistical data (page 4, paragraph 57, optimizing routing of messages by SMSC-SMS-GMSC to reduce load; page 3, paragraph 51, device receives message that optimal route was not successful; each route result is interpreted as being a state), and transmits the operation message for requesting path setup variations to the mobile switching center, so that the minimum load centralization short message service center can process newly-transmitted short messages (page 3, paragraph 50, route selected based on ROUTE_IND parameter).

Regarding claim 3, Molnar also discloses wherein, in the path setup step, the mobile switching center sets up the short message service center corresponding to address information included in the operation message from the operation control unit as a minimum load centralization short message service center to set up the transmission path of the short message (page 4, paragraph 57, optimizing routing of messages by SMSC-SMS-GMSC to reduce load), and in the optimal transmission step, the mobile switching center transmits the short message from the mobile station to the minimum load centralization short message service

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center through the transmission path (page 3, paragraph 50, route selected based on ROUTE_IND parameter).

Regarding claim 4, Molnar discloses the method of claim 2, wherein, in the load centralization confirmation step, the operation control unit decides the short message service center processing a relatively small number of short messages as the minimum load centralization short message service center in the real time according to the short message processing states from each short message service center (page 4, paragraph 57, optimizing routing of messages by SMSC-SMS-GMSC to reduce load).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844.

The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN

David Q Nguyen
Examiner
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